



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

MAR 28 2007

Technology Center 2100

IBM CORPORATION
3039 CORNWALLIS RD.
DEPT. T81 /B503, PO BOX 12195
RESEARCH TRIANGLE PARK, NC 27709

In re application of: Ims et al.)
Serial No.: 09/754,891) DECISION ON PETITION FOR
Filed: 1/5/2001) SUPERVISORY REVIEW
For: TECHNIQUE FOR AUTOMATED) UNDER 37 CFR §1.181
E-BUSINESS SERVICES)
)

This is a decision on the petition under 37 CFR § 1.181, filed December 12, 2006 requesting the Commissioner to invoke his supervisory authority and enter the Amendment After Final Rejection filed November 21, 2006 which was refused entry in the Advisory action mailed on November 21, 2006.

The petition is **GRANTED**.

RELIEF REQUESTED

The instant petition filed under 37 CFR 1.181 requests the following relief: entry of the Amendment After Final Rejection filed November 21, 2006 which was refused entry in the Advisory action mailed on November 21, 2006.

REQUIREMENTS

A petition under 37 CFR §1.181 must include: (1) a statement of facts involved and (2) the point or points to be reviewed and the action requested. Note, the mere filing of a petition will not stay any period for reply that may be running against the application, nor act as a stay of other proceedings. In addition § 1.181(f) sets forth: any petition under this part not filed within two months of the mailing date of the action or notice from which relief is requested may be dismissed as untimely.

The petition initially filed on November 21, 2006 includes elements (1) and (2) above. The petition was filed within two months of the Advisory Office action from which the relief is requested.

ANALYSIS

Comparing claim 1, 2, 3 and 5 before the final rejection of 7/27/06 to claims 1, 2, 3 and 5 after the final rejection as presented in amendments after final rejection on 10/4/06 and 11/1/06 it is seen that the scope of claim 1 has narrowed after final rejection.

Claims 1, 2 and 3 before Final Rejection 5/5/06	Claims 1, 2 and 3 after 1 st amendment after Final Rejection 10/4/06	Claims 1, 2 and 3 after 2 nd amendment after Final Rejection 11/1/06
I. (Currently amended) A computer program product for automated e-business services, the computer program product embodied on one or more computer-readable media of a first computing system and comprising:	1. (Currently amended) A computer program product for automated e-business services, the computer program product embodied on one or more computer-readable media of a first computing system and comprising:	1. (Currently amended) A computer program product for automated e-business services, the computer program product embodied on one or more computer-readable media of a first computing system and comprising:
computer-readable program code means <u>configured</u> for reading a specification of an e-business service; and	computer-readable program code configured for reading to read a specification of an e-business service, <u>wherein the specification is encoded in a structured markup language</u> ; and	computer-readable program code configured for reading to read a specification of an e-business service, <u>wherein the specification is encoded in a structured markup language</u> ; and
computer-readable program code means <u>configured</u> for processing the specification to carry out the e-business service, further comprising:	computer-readable program code configured for processing to process the specification to carry out the e-business service, further comprising:	computer-readable program code configured for processing to process the specification to carry out the e-business service, further comprising:
computer-readable program code means <u>configured</u> for receiving at least one or more input documents document for the e-business service; and	computer-readable program code configured for receiving to receive at least one input document for the e-business service, <u>wherein the at least one input document is encoded in the structured markup language</u> ; and	computer-readable program code configured for receiving to receive at least one input document for the e-business service <u>wherein the at least one input document is encoded in the structured markup language</u> ; and
computer-readable program code means <u>configured</u> for performing at least one or more of: (4) transforming the input documents into other documents, according to transformation information	computer-readable program code configured for performing to perform at least one of: transforming the input documents into other documents, according to transformation information	computer-readable program code configured for performing to perform at least one of: transforming the input documents into other documents, according to transformation information

that may be provided in the specification, and (2) operating upon the input documents and/or <u>or</u> the other documents to create one or more new documents, according to operating actions that may be provided in the specification.	that may be provided in the specification, and operating upon the input documents or the other documents to create one or more new documents, according to operating actions that may be provided in the specification.	that may be provided in the specification, and operating upon the input documents or the other documents to create one or more new documents, according to operating actions that may be provided in the specification.
2. (Currently amended) The computer program product according to Claim 1, further comprising computer-readable program code means configured for forwarding the other documents and/or <u>configured for forwarding to forward</u> the other documents to a computing system other than the first computing system.	2. (Currently amended) The computer program product according to Claim 1, further comprising computer-readable program code configured for forwarding to forward the other documents or the new documents to a computing system other than the first computing system.	2. (Currently amended) The computer program product according to Claim 1, further comprising computer-readable program code configured for forwarding to forward the other documents or the new documents to a computing system other than the first computing system.
3. (Original) The computer program product according to Claim 1, wherein the specification and the input documents are encoded in a structured markup language.	3 (Deleted)	3 (Deleted)
5. (Currently amended) The computer program product according to Claim 3 or Claim 4 , wherein the structured markup language is a language known as "the Extensible Markup Language (XML)" or a derivative thereof.	5. (Currently amended) The computer program product according to Claim 3 <u>1</u> , wherein the structured markup language is a language known as "the Extensible Markup Language (XML)" or a derivative thereof.	5. (Currently amended) The computer program product according to Claim 3 <u>1</u> , wherein the structured markup language is a language known as "the Extensible Markup Language (XML)" or a derivative thereof.

The scope of claim 5 appears unchanged because it further limits the structured markup language to a language known as "the Extensible Markup Language (XML)" or a derivative thereof. With regard to the examiner's statement (see advisory action of 11/21/06) that:

"Specifically, original claim 3 specified that all of the input documents be encoded in a structured markup language, whereas in the amendment, amended claim 1 now requires less restrictively that "at least one" input document be encoded in a structured markup language."

The language "at least one" input document was already introduced into claim 1 before the final rejection. Claim 3 was dependent on claim 1 and thus specified only the input documents of claim 1 which included one document. Furthermore the language is less restrictive as suggested by the examiner, however the "e"speak Tutorial, Version: Beta 20.2" Hewlett-Packard Company, December 1999 reference covers such language and as such no new issues are raised and no new consideration is required by the examiner. If the reference receives input documents it also

receives at least one input document. The scope to claim 1 has been narrowed and claim 3 has been canceled, thus reducing issues for appeal and incorporating all the subject matter of claim 3 into claim 1.

CONCLUSION

For the above stated reasons, the petition for supervisory review seeking entry of the Amendment After Final Rejection filed November 21, 2006 which was refused entry in the Advisory action mailed on November 21, 2006, is **GRANTED**.

The application is being forwarded to the Examiner for appropriate action. A new Appeal Brief should be required by the examiner to reflect the changes caused by this decision.

Any inquiries related to this decision may be directed to Pat Salce at (571) 272-3610.

A handwritten signature in cursive script, reading "Pat Salce", written in dark ink. The signature is fluid and stylized, with the first and last names being clearly legible.

Pat Salce

Workgroup 2170 Quality Assurance Specialist, Tech. Center 2100
Computer Architecture, Software and Information Security
571-272-3610